NOV 0 7 2005

HESLIN ROTHENBERG FARLEY & MESITI P.C.

Robert E. Heslin Jeff Rothenberg Kevin P. Radigan Susan E. Farley Nicholas Mesiti Philip E. Hansen* Blanche E. Schiller Wayne F. Reinke David P. Miranda

* Patent Agent † Technical Specialist

Of Counsel Joseph L. Spiegel Poughkeepsie, NY

INTELLECTUAL PROPERTY LAW

PATENTS • TRADEMARKS • COPYRIGHTS

Attorneys at Law 5 Columbia Circle Albany, New York 12203 Telephone: (518) 452-5600 Facsimile: (518) 452-5579 www.hrfmlaw.com Kathy Smith Dias David A. Pascarella Victor A. Cardona Lee Palmateer John Pietrangelo* Brett M. Hutton Stephen M. Hladik Edward Timmer Alana M. Fuierer John W. Boger Surinder S. Punia†

Of Counsel Martha L. Boden Jill M. Breedlove Lawrence D. Cutter

CONFIDENTIALITY NOTICE

The pages comprising this facsimile transmission contain confidential information from https://docume.com/heberg-farley-e-mesiti-p.c. This information is intended solely for use by the individual entity named as the recipient hereof. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this transmission is prohibited. If you have received this transmission in error, please notify us by telephone immediately.

*** PLEASE DELIVER IMMEDIATELY ***

Date:

November 7, 2005

From:

Wayne F. Reinke (e-mail: WFR@hrfmlaw.com)

No. of Pages:

18 (Including this Page)

Fax No.:

571-273-8300

<u>To</u>:

Examiner Dang T. Ton Group Art Unit 2666

U.S. Patent and Trademark Office Alexandria, VA 22313-1450

Re:

U.S. Patent Application Serial No.: 09/938,031

Applicant(s): Chen et al.

Attorney Docket No.: POU920000198US1

Message:

Please find attached hereto the following documents:

- 1. Amendment Transmittal Letter (1 page) (in duplicate); and
- 2. Amendment and Response to Office Action (15 pages).

RECEIVED OIPE/IAP

NOV 0 8 2005

WFR:rqs Attachments 0560389-FAX01 Cover 11/07/2005 16:43 FAX 518 452 5579 HESLIN ROTHENBERG

RECEIVED CENTRAL FAX CENTER NOV 0 7 2005

AMENDMENT TRANSMITTAL LETTER (Large Entity) Applicant(s): Mantena et al.						Docket No. POU920000198US1		
Application No. 09/938,031	Filing Date 08/23/2001	Examiner Ten Dens T			No.	Group Art Unit		
· · · · · · · · · · · · · · · · · · ·			46369		2666	1675		
Invention: MANAGING MEMORY RESIDENT QUEUES TO CONTROL RESOURCES OF THE SYSTEMS USING THE QUEUES								
COMMISSIONER FOR PATENTS:								
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.								
CLAIMS AS AMENDED								
	CLAIMS REMAINING	HIGHEST #		R EXTRA	FV-04			
	AFTER AMENDMENT	PREV. PAID FOR		PRESENT		RATE	ADDITIONAL FEE	
TOTAL CLAIMS	55 -	55 =		0	x	\$50.00	\$0.00	
INDEP. CLAIMS	7	4 =		3	х	\$200.00	\$600.00	
Multiple Dependent Claims (check if applicable) \$0.00								
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$600.00								
Please charge Deposit Account No. 09-0463 (IBM) in the amount of \$600.00 A check in the amount of to cover the filing fee is enclosed. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0463 (IBM) Any additional filing fees required under 37 C.F.R. 1.16. Any patent application processing fees under 37 CFR 1.17. Payment by credit card. Form PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.								
Wayne F. Reinke, Esq. Registration No. 36,650 I hereby certify that this correspondence is being transmitted by facsimile transmission to: Examiner Dang T. Ton, Group Art Unit 2666, United States Patent and Trademark Office, Alexandria, VA 22313-1450, Facsimile No. 571-273-8300, on November 7, 2005. CC: Rosalind Q. Spiller								

RECEIVED 2 004/018
CENTRAL FAX CENTER

NOV 0 7 2005

-1-

POU920000198US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Chen et al.

Confirmation No.: 1675

Serial No.:

09/938,031

Group Art Unit: 2666

Filed:

08/23/2001

Examiner: Ton, Dang T.

Title:

MANAGING MEMORY RESIDENT QUEUES TO CONTROL

RESOURCES OF THE SYSTEMS USING THE QUEUES

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile transmission to: Examiner Dang T. Ton, Group Art Unit 2666, United States Patent and Trademark Office, Alexandria, VA 22313-1450, Facsimile No. 571-273-8300, on November 7, 2005.

Rosalind Q. Spiller

Date of Signature: November 7, 2005.

To:

Mail Stop Amendment Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

In response to an Office Action with a mailing date of August 5, 2005, response to which is due by November 5, 2005 without extension, and which is being timely filed, kindly amend the above-identified application as follows:

11/08/2005 HDEMESS1 00000025 090463 09938031

01 FC:1201

600.00 DA